

CABINET

27 July 2004

Attendance:

Councillors:

Campbell (Chairman) (P)

Beveridge (P)

Collin (P)

Evans (P)

Hiscock (P)

Knasel (P)

Learney (P)

Wagner

Others in attendance who addressed the meeting

Councillors Davies, Higgins, Lipscomb and Pearson

1. **APOLOGIES**

Apologies were received from Councillor Wagner.

2. **PUBLIC PARTICIPATION**

There were no questions asked or statements made.

3. **LEADER AND PORTFOLIO HOLDERS' ANNOUNCEMENTS**

The Portfolio Holder for Housing reported that he had attended the first Housing Conference between various housing partners at the Guildhall, Winchester last week. It was hoped that the Conference would become an annual event and a report would be submitted to Cabinet in the autumn on matters arising from discussions at the meeting.

The Portfolio Holder for Planning advised that he had recently attended a meeting of the South East Regional Assembly which had considered a 'Councillors Toolkit for Better Design' in relation to planning. At this meeting, two examples of Council work had been accepted as examples of best practice. The first was the development of Charles House, Sussex Street which had been accepted as a good example of high density design. The second was the Council's practice of encouraging pre-application discussions on difficult planning applications. All Members of the Planning Development Control Committee would receive copies of this Toolkit.

The Portfolio Holder for Culture, Heritage and Sport spoke about the various activities that were taking place in celebration of the Tudor wedding. The Museums and the Tourism sections had jointly launched a leaflet on the "Tudor Trail" which linked Tudor buildings in Winchester and the surrounding district. In addition, the Westgate Museum was currently holding a Tudor exhibition.

4. **MINUTES**

RESOLVED:

That the minutes of the previous meeting (less exempt items) held 5 July 2004 be approved and adopted.

5. **OVERVIEW OF FINAL ACCOUNTS 2003/04**
(Report CAB882 refers)

Members noted that the detail of the accounts would be considered by the Statement of Accounts Committee at its meeting on 4 August 2004. In response to questions, the Director of Finance confirmed that next year, the Council's accounts would have to be completed by the end of July, and in 2006 the deadline was the end of June.

The Chairman expressed her thanks to the officers involved for their work in the preparation of the accounts.

Cabinet agreed to the following for the reasons set out above and outlined in the report.

RESOLVED:

1. That in accordance with the Financial Procedure Rule 7.7, a carry forward of £248,000 on General Fund into 2004/05 be approved as a one-off contribution from the 2003/04 budget for the purposes specified in Appendix 6 of the above report.

2. That the determinations as set out in Appendix 7 of the report be made.

6. **FINANCIAL STRATEGY 2005/06 TO 2009/10**
(Report CAB883 refers)

In response to questions, the Director of Finance advised that the level of Government grant was not yet known. However, it was expected that the Government were planning to give an indication of the settlement for three years, instead of only one year at present.

A number of Members commented that the recommendations should include an intention that the Council would not increase Council Tax above the level of inflation. However, the implications of this approach on the level of services the Council could provide were also highlighted. In addition, Members noted that the final decision on Council Tax levels would have an impact on the Council's planned growth items and would be affected by the level of Government grant.

Following further debate, it was agreed that a series of options be brought back to Cabinet and Council to consider as a result of the budget process. In addition, it was agreed that the Council should endeavour to keep Council Tax increases at or below the level of inflation if possible, having regard to the uncertainty about Government grants and Council growth items.

In response to questions, the Chairman confirmed that the Chairs of the Performance Improvement Committees and Directors would be reminded of the importance of

considering their budgets in the autumn cycle of meetings and in particular of identifying savings, especially if they wished to pursue growth items.

Cabinet agreed to the following for the reasons set out above and outlined in the report.

RESOLVED:

1. That the following key principles be applied to the General Fund and Housing Revenue Account revenue budgets:

- a) A balanced revenue budget (within a margin of £0.5m);
- b) Inflation allowance for salaries and third party contracts only;
- c) Prudent approach to income estimates;
- d) A net overall underspend at year end;
- e) A presumption in favour of revenue over capital income.

2. That Cabinet considers the results of the comprehensive performance assessment in the context of the Corporate Strategy and gives guidance to the Performance Improvement Committees for their budget deliberations in the October/November cycle.

3. That at the outcome of the budget process, a series of options be presented to Cabinet and Council for consideration.

4. That Cabinet should strive to keep Council Tax increases at or below the rate of inflation if possible, bearing in mind the need to review the position and having regard to the uncertainties at this stage in relation to Government Grants and Council growth items.

7. **CAPITAL STRATEGY AND PROGRAMME**
(Report CAB884 refers)

In response to questions, the City Secretary and Solicitor and the Director of Community Services updated Members on the current situation regarding the Bapsy Bequest. Members were advised that following discussions at Principal Scrutiny Committee on 24 May 2004, it had been agreed that the feasibility study be refined before submission to the Charity Commission. In addition, more work would be undertaken regarding possible changes to the Guildhall Conference Chamber as this had an impact on any proposals for new city offices. The updated report from the Architect was due back early September and it was intended that a meeting between the Charity Commission and the City Secretary and Solicitor and Director of Community Services be arranged shortly afterwards.

The Chairman expressed her thanks to the officers involved in the preparation of the Strategy and Programme.

Cabinet agreed to the following for the reasons set out above and outlined in the report.

RECOMMENDED:

THAT THE DRAFT CAPITAL STRATEGY AND CAPITAL PROGRAMME BE APPROVED.

8. **CORPORATE PRIORITIES – FIRST QUARTER MONITORING 2004/05**

(Report CAB921 refers)

Members noted that the Report would also be submitted to the next Principal Scrutiny Committee on 27 September 2004 for that Committee to identify any areas it wished further information to be provided.

Under the Social Inclusion section, the Portfolio Holder for Housing advised that Objective 11 d) regarding expanding Homecheck to the under fives should not be included as a commitment as it had not yet been agreed as part of the programme. It should only be added to the list of priorities if Council considered that there was spare capacity to meet the requirements and it was more important than other objectives already included.

The Portfolio Holder for Housing also requested that local Ward Councillors be informed as soon as possible about the outcome of the informal meeting with members of the Stanmore Steering Group that had taken place last week to look at the areas which might be considered for an affordable housing scheme.

With regard to the objectives relating to West of Waterlooville, Cabinet noted that it was necessary to consider infrastructure issues in addition to affordable housing. It was proposed that a meeting would be held involving Members and Officers from Winchester and Havant Councils in early autumn 2004.

In discussion of the objective to promote the roll-out of Broadband across the District, one Member commented that there were difficulties in achieving this in rural areas. The Chairman acknowledged this point and advised that she would be chairing a meeting about Broadband in October 2004.

Cabinet agreed to the following for the reasons set out above and outlined in the report.

RESOLVED:

That progress on the delivery of the Council's corporate priorities be noted.

9. **FUTURE DEMANDS FOR RECYCLING BINS – FINANCIAL IMPLICATIONS**

(Report CAB914 refers)

In response to questions, the City Secretary and Solicitor advised that there was no legal power available to require developers to finance the cost of bins for new houses. Although such matters could be raised in discussions with developers, it was considered that in most circumstances it would be more beneficial to the Council to focus on the more major issues.

Cabinet agreed to the following for the reasons set out above and outlined in the report.

RESOLVED:

That the shortfall in budget for additional recycling bins over the next two years be noted and, subject to the matter not being called-in by Principal Scrutiny Committee, supplementary capital estimates of £40,000 in 2004/05 and £40,000 in 2005/06 be approved for this purpose.

10. **COMMUNITY GRANTS – EMERGENCY CAPITAL GRANT**
(Report CAB910 refers)

In response to questions, the City Secretary and Solicitor confirmed that in the future, this level of grant could be delegated to the Portfolio Holder under the new system.

Cabinet agreed to the following for the reasons set out above and outlined in the report.

RESOLVED:

That an emergency capital grant of £6,575 from the Grants Reserve for Warnford Village Hall be approved.

11. **WINCHESTER DISTRICT LOCAL PLAN – OFFICER DELEGATION**
(Report CAB912 refers)

At the invitation of the Chairman, Councillor Pearson spoke in support of the proposals in the above report. He advised that he had attended the Local Inquiry and noted that progress had been slowed by officers being unable to agree minor changes.

One Member queried whether there might be some circumstances where more major changes could be referred to the Portfolio Holder rather than being made by Cabinet. However, it was agreed that it would not be appropriate for the Portfolio Holder to make decisions on policy matters.

Cabinet agreed to the following for the reasons set out above and outlined in the report.

RESOLVED:

1. That the Director of Development Services be given delegated authority to agree to minor changes to the Local Plan's proposals or explanatory text, provided they do not alter the general policy intention or meaning.

2. That any changes that the officers recommend should be supported, but which would result in a change to the meaning of the policy, should be brought to Cabinet for consideration.

3. That the changes recommended in Appendix 1, which have already been promoted to the Inquiry as 'officer changes' be endorsed as Further Proposed Changes.

12. **2004 DRAFT ASSET MANAGEMENT PLAN AND PERFORMANCE MONITORING REPORT**

(Report CEN62 refers)

Cabinet discussed the list of operational buildings which had been identified as causing concern as to their fitness for purpose and condition as outlined in paragraph 3.2 of the report. The Director of Community Services reported that it was intended to move out of Fort Brockenhurst museum store as soon as alternative arrangements could be made. The North Walls Pavilions were not in immediate need of replacement but better facilities might be provided by using resources from the Open Space Fund in due course. With regard to Tower Street car park, the City Secretary and Solicitor advised that this was owned by the County Council and leased by the City Council.

The Director of Community Services commented that the Disability Discrimination Act would also require additional work to be undertaken in some of the Council buildings. It was agreed that this issue be added to the list in paragraph 3.2.

Members also noted that plans for the upgrade of the Jewry Street public conveniences would be affected by the proposals for the new Cultural Centre. It was agreed that the wording of paragraph 3.2 be amended to reflect this.

Cabinet suggested that proposals for dealing with the buildings listed be brought back to a future Cabinet meeting.

Cabinet agreed to the following for the reasons set out above and outlined in the report.

RESOLVED:

That, subject to the changes outlined above, the 2004 Asset Management Plan be approved and that the following be added to the Property Policy Statements: "That the Council will value all of its property assets on a five year rolling programme."

13. **REVIEW OF NON-DOMESTIC RATE RELIEFS POLICY GUIDELINES**

(Report CEN57 refers)

Members noted that this report had been considered by the Central Services Performance Improvement Committee at its meeting on 14 July 2004 at which Members had requested that more information should be provided to Cabinet (Minutes of the Performance Improvement Committee contained within Report CAB917 below). The additional information requested was on the potential impact on ratepayers of the proposed revised policy guidelines and was contained within Report CAB920 outlined under the exempt business of the agenda below.

Cabinet welcomed the proposals contained in the report and passed its thanks to the officers involved in the work and to the Central Services Performance Improvement Committee for their scrutiny of this matter.

Cabinet agreed to the following for the reasons set out above and outlined in the report.

RESOLVED:

That the revised Council's policy guidelines for rate relief as shown in Appendix A of the Report be approved.

14. **MINUTES OF THE COMMUNITY, ARTS AND SOCIAL PERFORMANCE IMPROVEMENT COMMITTEE**

(as contained within the Council Minute Book, 21 July 2004, pages 34-36)

Cabinet considered the minutes of the Community, Arts and Social Performance Improvement Committee held 1 July 2004 and the recommendations contained therein.

In discussion about the Scrutiny Work Programme for the Committee, Cabinet queried the remit of the proposed new Community Safety Informal Scrutiny Group and how it was related to the officer group on the Community Safety Partnership.

In response to questions, the City Secretary and Solicitor advised that Performance Improvement Committees did not have a general remit to consider policy reviews without the prior approval of Cabinet and/or Principal Scrutiny Committee. However, in this instance, both Cabinet and Principal Scrutiny Committee had approved the inclusion of review of Community Safety in the Committee's work programme and it was therefore a matter for the Committee to decide how it wished to undertake this review. The Committee had organised its work in accordance with the guidance on the use of Informal Scrutiny Groups – no more than two to be appointed for the year with one concluding its work before the other commenced. He continued that it was open to Cabinet to request to see the Group's terms of reference and this was agreed.

RESOLVED:

1. That the minutes of the Community, Arts and Social Performance Improvement Committee held 1 July 2004 be received and the recommendations contained therein be agreed.

2. That the terms of reference of the new Community Safety Informal Scrutiny Group be submitted to the next Cabinet meeting for Cabinet's consideration.

15. **MINUTES OF THE HEALTH PERFORMANCE IMPROVEMENT COMMITTEE**

(as contained within the Council Minute Book, 21 July 2004, pages 58 -65)

Cabinet considered the minutes of the Health Performance Improvement Committee held 7 July 2004 and the recommendation contained therein.

Cabinet discussed the proposal to re-appoint the Waste Management Informal Scrutiny Group and to widen its remit to include recycling issues relating to commercial waste. Members expressed concern that because of the importance of the recycling trial and resource issues of setting up a separate Group, the monitoring should be undertaken by the whole Committee. It was considered that it was Cabinet's role to ensure that the recycling pilot was implemented correctly, and the Performance Improvement Committee would have a monitoring role after implementation to assess the effectiveness of the policy. In addition, consideration of

commercial waste should not be undertaken prior to the outcome of the County Council and/or the Local Strategic Partnership reviewing their work in this area.

At the invitation of the Chairman, Councillor Higgins (a member of the Performance Improvement Committee), clarified that the Committee had recommended the establishment of a separate Group in order to increase the level of monitoring undertaken. Cabinet noted this point but also had regard to the Director of Health and Housing's advice that the monitoring information would probably not be available more frequently than the full Committee's cycle of meetings.

In discussion of the minute on report HE29 (Cleanliness Best Value Performance Indicator 199 and Emerging Issues), Recommendation 4, the Chairman agreed to raise the issue of litter picking on trunk roads at the Hampshire and Isle of Wight Local Authorities meeting.

RESOLVED:

1. That the minutes of the Health Performance Improvement Committee held 7 July 2004 be received and the recommendation contained be agreed, subject to Recommendation 2 below.

2. That the Performance Improvement Committee be asked to have regard to the concerns of Cabinet in relation to the proposal to re-appoint of the Waste Management Informal Scrutiny Committee as outlined above.

16. **MINUTES OF THE ENVIRONMENT AND ACCESS PERFORMANCE IMPROVEMENT COMMITTEE**
(Report CAB915 refers)

Cabinet considered the minutes of Environment and Access Performance Improvement Committee held 12 July 2004 and the recommendations contained therein.

Following discussion of the recommendations relating to The Square, Wickham parking charges (report EA33 refers), Cabinet agreed that the Performance Improvement Committee be requested to review the introduction of charges after one year.

Cabinet discussed the proposals for the appointment to Informal Scrutiny Groups. Members expressed some concern that only two Members had volunteered to sit on the Planning Grants Group and requested that its terms of reference be submitted to Cabinet for consideration. With regard to the Parking Review Group, Cabinet considered that its remit should include consideration of take-up of the new Park and Ride site at Bar End and the impact of the Air Quality Management Area (AQMA). However, it was noted that its work should not duplicate that of the existing AQMA Group. Cabinet also requested that the Parking Review Group commence its work as soon as possible and also asked for the opportunity to comment on its proposed terms of reference.

RESOLVED:

1. That the minutes of the Environment and Access Performance Improvement Committee held 12 July 2004 be received and the recommendations contained therein be agreed.

2. That the terms of reference of the new Planning Grants Informal Scrutiny Group be submitted to the next Cabinet meeting for consideration.

3. That the Performance Improvement Committee have regard to the comments of Cabinet in relation to the remit and timing of the Parking Review Informal Scrutiny Group as outlined above and that its terms of reference be reported to Cabinet for its consideration.

4. That the Performance Improvement Committee be requested to undertake a review of the introduction of parking charges in Wickham Square after a period of 12 months.

17. **MINUTES OF THE HOUSING PERFORMANCE IMPROVEMENT COMMITTEE**
(Report CAB916 refers)

Cabinet considered the minutes of the Housing Performance Improvement Committee held 13 July 2004 and the recommendations contained therein.

During discussion of the proposed appointments to Informal Scrutiny Groups, the Portfolio for Housing advised that a report on sheltered housing would be submitted to Cabinet later this year and he would request that a Cabinet Informal Member/Officer Group be established at this time. Therefore, he did not consider it appropriate for the Supported Housing Informal Scrutiny Group to be established at this time.

A number of Members also expressed concern about the proposed remit of the Housing Information Systems Informal Scrutiny Group and its relationship with the current proposals for a new Customer Service Centre. It was considered that the type of work the Group wanted to undertake fell within the responsibilities of senior officers and any consultants the Council might employ in the preparation of the move towards a Customer Service Centre, rather than Members.

At the invitation of the Chairman, Councillor Davies addressed the meeting and in summary stated that although he agreed with the comments made about the Housing Information Systems Group, it would have been more helpful if the Committee had been given this advice at its meeting. Cabinet noted Councillor Davies' concerns, but advised that the exact remit of the Scrutiny Group and therefore the wider implications were not known until after the meeting.

At the invitation of the Chairman, Councillor Pearson also expressed his concerns about Cabinet's role in the scrutiny process.

RESOLVED:

1. That the minutes of the Housing Performance Improvement Committee held 13 July 2004 be received and the recommendations contained therein be agreed, subject to Recommendation 2 below.

2. That the Performance Improvement Committee be advised of the concerns of Cabinet in relation to the proposal re-appoint the Supported Housing Informal Scrutiny Group and the new appointment of a Housing Information Systems Informal Group, as outlined above, and the proposals be not approved.

18. **MINUTES OF THE CENTRAL SERVICES PERFORMANCE IMPROVEMENT COMMITTEE (LESS EXEMPT ITEMS)**

(Report CAB917 refers)

Cabinet considered the minutes of the Central Services Performance Improvement Committee held 14 July 2004 (less exempt items) and the recommendations contained therein.

RESOLVED:

That the minutes of the Central Services Performance Improvement Committee held 14 July 2004 (less exempt items) be received and the recommendations contained therein be agreed.

19. **REPRESENTATION ON OUTSIDE BODIES**

(Report CAB918 refers)

Members noted that since the report was published, further nominations/changes to the report had been received as follows:

- (i) Winnall County Primary School:
 - Councillor Pines would like to be considered as the Minor Authority Governor for this School. Until his recent retirement, he had been a teacher at the school for 36 years. He has also been a past governor at Westgate School.
- (ii) Southampton International Airport Consultative Committee:
 - Councillor Rees would like to be considered as the Council Representative for this body. Following the re-routing of the flight path from Southampton, flights were now passing over his Ward which had created some local interest;
 - Councillor Wagner would now wish only to be considered as the deputy representative.

Cabinet agreed to the following for the reasons set out above and outlined in the report.

RESOLVED:

That the following appointments to outside bodies be made (term of office in brackets):

- a) **Governing Body of All Saints Church of England (controlled) Primary School** (1.9.04 – 31.8.08) - Councillor de Peyer
- b) **Governing Body of Stanmore County Primary School** (1.9.04 – 31.8.08) - Councillor Davies
- c) **Governing Body of Winnall County Primary School** (1.9.04 – 31.8.08) - Councillor Pines
- d) **Southampton International Airport Consultative Committee** (until 30.6.07)
Councillor Macmillan
Councillor Wagner (deputy)

20. **FUTURE ITEMS FOR CONSIDERATION**

RESOLVED:

That the list of future items, as set out in the Council's Forward Plan for August 2004, be noted.

21. **EXEMPT BUSINESS**

RESOLVED:

That the public be excluded from the meeting during the consideration of the following items of business because it is likely that, if members of the public were present, there would be disclosure to them of 'exempt information' as defined by Section 100I and Schedule 12A to the Local Government Act 1972.

| Minute Number | Item | Description of Exempt Information |
|---------------|--|---|
| ## | Exempt Minutes of the Previous Meeting |) The amount of any expenditure proposed to be incurred by the authority under any particular contract for the acquisition of property or the supply of goods or services. (Para 8 to Schedule 12A refers).)) Any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services. (Para 9 to Schedule 12A refers). |
| ## | Exempt Minutes of the Central Services Performance Improvement Committee held 14 July 2004 |) Information relating to the financial or business affairs of any particular person (other than the authority). (Para 7 Schedule 12A refers).) |
| ## | Broadway/Friarsgate – Extension of Exclusivity Agreement |) Any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services. (Para 9 to Schedule 12A refers).) |

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|----|--|---|
| ## | Park and Ride Bus Contract |) Any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services. (Para 9 to Schedule 12A refers). |
| ## | Rate Relief Policy Guidelines Additional Information |) Information relating to the financial or business affairs of any particular person (other than the authority). (Para 7 Schedule 12A refers). |
| ## | Proposed Policy Officer Post |) Information relating to a particular employee, former employee or applicant to become an employee of, or a particular office-holder, former office-holder or applicant to become an office-holder under the authority. (Para 1 to Schedule 12A refers). |

22. **EXEMPT MINUTES**

RESOLVED:

That the exempt minutes of the previous meeting held 5 July 2004, relating to the Buy Back of Former HRA Land at Highcliffe and Stanmore, be approved and adopted.

23. **EXEMPT MINUTES OF THE CENTRAL SERVICES PERFORMANCE IMPROVEMENT COMMITTEE**
(Report CAB917 refers)

Cabinet considered the exempt minutes of the Central Services Performance Improvement Committee held 14 July 2004, relating to Commercial Property Arrears and Voids and Debtor Monitoring to June 2004 (detail in exempt minute).

24. **CONTRACT FOR PARK AND RIDE BUS SERVICE**
(Report CAB913 refers)

Cabinet considered the above report which set out proposals regarding the renewal of the Park and Ride Bus Service contract (detail in exempt minute).

25. **BROADWAY/FRIARSGATE – EXTENSION OF EXCLUSIVITY AGREEMENT**
(Report CAB919 refers)

Cabinet considered the above report which set out details regarding the extension of the exclusivity agreement relating to Broadway/Friarsgate (detail in exempt minute).

26. **REVIEW OF NON-DOMESTIC RATE RELIEFS POLICY GUIDELINES –
ADDITIONAL INFORMATION**
(Report CAB920 refers)

Cabinet agreed to the following for the reasons set out above and outlined in the report.

RESOLVED:

That the potential impact on ratepayers of the changes to the policy guidelines be noted.

The meeting commenced at 9.00am and concluded at 12 noon.

